S.B.Cr.Misc. Bail App. No. 4932/2007
(Bhup Ram and Ors. Vs. State of Rajasthan)

Date of order : 22/11/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. S.S.Dhillon for the petitioners.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned and challan papers.

It is contended by learned counsel for the petitioners that the allegation of causing murder of deceased Mithusingh is against Jagdish @ Papiya, Rakesh and Rampratap. There is no allegation of causing any injury to the deceased or causing his murder against the present petitioners.

I have carefully gone through the challan papers, more particularly the statements of Satya Narain recorded by police on 10.6.2007 and Ratiram recorded on 13.7.2007. In the statements of these two witnesses, the allegation of causing murder of the deceased Mithusingh is against Jagdish @ Papiya, Rakesh and Rampratap.

Keeping in view the evidence available on record and the fact that there is no allegation of causing death of deceased Mithusingh against the present petitioners, looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Bhup Ram S/o Shanker Lal, Ram Chander S/o Shanker Lal and Ved Prakash S/o Madan Lal be released on bail in FIR No. 200/2007 P.S. Pilibanga provided each of them executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP